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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/542,105

07/13/2005

Hisayuki Kawamura

28955.4030

1128

27890 7590 04/09/2009
STEPTOE & JOHNSON LLP
1330 CONNECTICUT AVENUE, N.W.
WASHINGTON, DC 20036

EXAMINER

THOMPSON, CAMIE S

ART UNIT

PAPER NUMBER

1794

MAIL DATE

DELIVERY MODE

04/09/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/542,105	Applicant(s) KAWAMURA, HISAYUKI	
	Examiner Camie S. Thompson	Art Unit 1794	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on RCE filed 1/28/09.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on January 28, 2009 has been entered.
2. Applicant's amendment and accompanying remarks filed January 28, 2009 are acknowledged.
3. Examiner acknowledges amended claims 1 and 8.
4. The rejection of claims 1-15 under 35 U.S.C. 102(e) as being anticipated by Richter et al., U.S. Patent Number 2005/0067951 is withdrawn due to applicant's argument.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

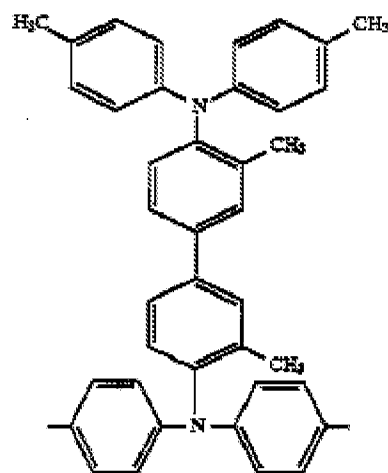
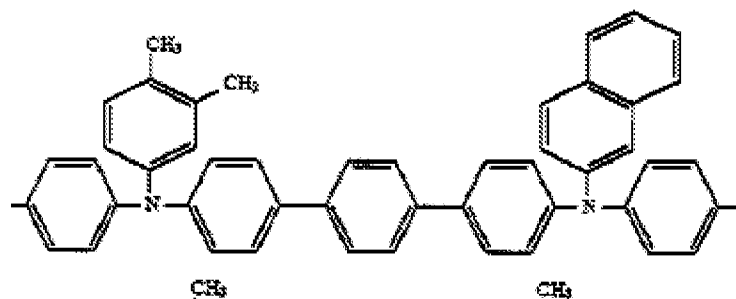
A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1 and 8-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Tamano et al., U.S. Patent Number 5,681,664.

Tamano discloses aromatic amine derivative(s) with the structures

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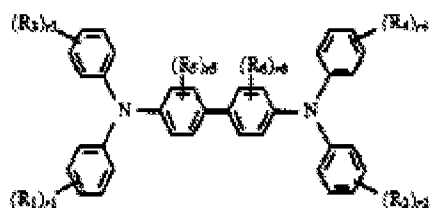


The aromatic amine residues/derivatives of the Tamano reference read on the present claims when L is a terphenylene group or biphenylene group and has the substituents as required by the present claims. Additionally, the aromatic amine residues of the Tamano reference read on the present claims with A and B being different.

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7. Claims 7-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Nakaya et al., U.S. Patent Number 5,792,557.

Nakaya discloses tetradiarydiamine derivatives used in organic EL devices. Formula 1 of the Nakaya reference



reads on the present claim 7 (formula H-7) when r5 and r6 are zero; r1, r3 and r4 are 1; r2 is zero; R1 and R3 are aryl (phenylene) and R4 is a ring that is fused 9see column 13, lines 1-35). Nakaya discloses that the organic EL device comprises a pair of electrodes with a light emitting layer, a hole injecting and transporting region, and electron injecting and transporting region disposed therebetween (see reference claims).

Claim Rejections - 35 USC § 103

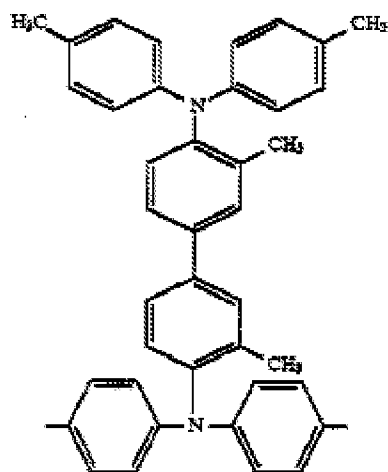
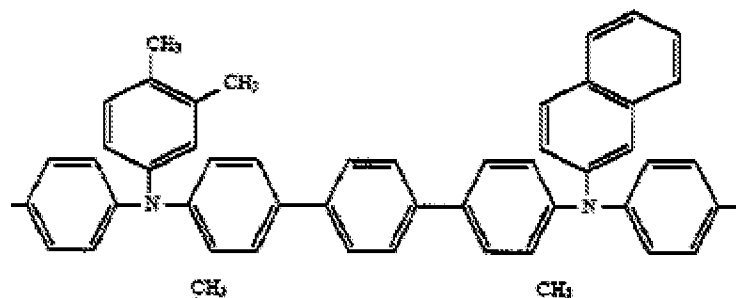
8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 2-6 and 11-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tamano et al., U.S. Patent Number 5,681,664.

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Tamano discloses aromatic amine derivative(s) with the structures



The aromatic amine residues/derivatives of the Tamano reference read on the present claims when L is a terphenylene group or biphenylene group as required by the present claims.

Additionally, the aromatic amine residues of the Tamano reference read on the present claims with A and B being different. Tamano discloses an organic electroluminescent device comprising a pair of electrodes and a light emitting layer disposed therebetween (see claim 1). Additionally, Tamano discloses that device comprises a hole transporting layer (see claim 1).

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The reference also discloses a hole injecting layer and an electron injecting layer (see claim 8).

The reference discloses that the hole transporting material has the formula



, which includes the aromatic amine derivative as A. The reference discloses that the hole transporting material can be used in the light emitting layer (see column 3, lines 51-64). The hole transporting material of the Tamano reference includes a residue B along with the aromatic amine derivative residue A. It is well known in the art that aromatic amine derivatives are used as hole transporting materials in organic electroluminescent devices. Therefore, it would have been obvious to one of ordinary skill in the art that the aromatic amine derivative residues A of the Tamano reference would be well suited as a hole transporting material since it is known that aromatic amine derivatives emit high brightness and light emission stability.

Response to Arguments

10. Applicant's arguments with respect to the present claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Camie S. Thompson whose telephone number is 571-272-1530. The examiner can normally be reached on Monday-Friday 8:00 am - 6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, D. Lawrence Tarazano can be reached on 571-272-1515. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/D. Lawrence Tarazano/
Supervisory Patent Examiner, Art Unit 1794

Camie S Thompson
Examiner
Art Unit 1794